HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION
Dated Nainital the 22nd day of June, 2005
Criminal Misc. Bail Application No.229 of 2005
Order on the bail application of the accused.

CRIMINAL SIDE

Harpreet Singh S/o Sewa Singh,
R/o Village- Padampur, Choyee,
P.S. Ramnagar, District Nainital
….. Accused/Applicant
(in jail)

Versus

State of Uttaranchal …… Respondent

Case crime No.287 of 2004
Under Sections 394, 411 of I.P.C.
Police Station Kaladhungi,
District Nainital

BY THE COURT

Hon'ble J.C.S. Rawat, J.

Heard Sri S.K. Aggarwal, learned counsel for the applicant and learned A.G.A. for the State.

I have perused the record. According to the prosecution version, the accused is involved in a day light robbery in the Bank of Baroda, Kamola, Tehsil Kaladhungi, District Nainital. The robbery was committed on the point of Desi Tamancha and the applicant robbed the money from the aforesaid bank. Soon thereafter, an alarm was raised and the F.I.R. was lodged in which it has been stated that the applicant has robbed near about Rs.4,00,000/- from the Bank. The accused was arrested along with one Harshukhpal Singh by the Sitarganj Police, Pilibhit Road at about 11:30 a.m. exactly after about three hours. The co-accused Harshukhpal alongwith the applicant was going on the motorcycle and as soon as they intercepted, they started running on foot and ultimately the Police apprehended them with an amount of Rs.3,54,740/-.

The learned counsel for the applicant contended that the only evidence of identification is against the applicant and learned counsel for the applicant also pointed out so many infirmities in the evidence

and further submitted that the said evidence cannot be relied upon at this stage.

After considering the facts and circumstances of the case, this is a day light robbery committed in the State of Uttaranchal. As such, keeping in view the gravity of the evidence, I am not inclined to allow this bail application.

The bail application is rejected accordingly.

Dated : 22.06.2005 (J.C.S. Rawat, J.)
Rajeev Dang